**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE DR JUSTICE G.YETHIRAJULU**

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**WRIT PETITION NO : 13512 of 2004**

Between:

1 S. Ampaiah, S/o S.K. Basaiah,
2 S. Koteswara Rao, S/o S. Varadaiah,
3 J. Nageswara Rao, S/o Satyam,
4 T. Venkata Rao, S/o Venkata Narasaiah,
5 K. Prakasa Rao, S/o Yacob,
6 A. Ananthaiah, S/o Jangaiah,
7 Ch. Venkataratnam, S/o Rangaiah,
8 M. Vijender, S/o M. Pentaiah,
9 B. Bogaiah, s/o Sangaiah,
(All are working as Telecom Technical Assistants under the control of G.M. Telecom, Khammam/G.M. Telecom District, Medak at Sangareddy.)

**..... PETITIONERS**

AND

1 Union of India, rep. by its Secretary to Department of Telecommuncations. Doorsanchar Bhawan, New Delhi - 110 001.
2 The Director General, Bharat Sanchar Nigam Ltd, Sanchar Bhawan, New Delhi.
3 The Chief General Manager, BSNL, Andhra Pradesh Circle, Abids, Hyderabad.
4 The General Manager, Telecom District, BSNL, Khammam.
5 The General Manager, Telecom District, BSNL, Medak at Sangareddy.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more in the nature of mandamus declaring that the petitioners are entitled for grant of relaxed standard in qualifying marks for the

examination of Junior Telecom Officers held on 6.5.2000 against 35% quota on the same lines as was granted vide Lr.No. 12-15/2002-DE, dated 10-3-2003 by Bharat Sanchar Nigam Limited Head Quarters, New Delhi in respect of Junior Telecom Officers against 15% quota vacancies in the examination held for promotion to J.T.Os in the years 1999 and 2000 with all consequential benefits such as promotion, seniority arrears of pay and allowance etc, and other attendant benefits holding the action of the respondents, in not extending the benefit of relaxed standards in the qualifying marks to the petitioners in the 35% quota examination held on 6-5-2000 while extending the said benefit of letter dated 10-3-2003 to those who appeared against 15% quota examination held in 1999 and 2000 is illegal, arbitrary, discriminatory, violative of Articles 14 and 16 of the Constitution

**Counsel for the Petitioner:MR.K.VENKATESWARA RAO**

**Counsel for the Respondents.: MS.P.SARADA,Standing Counsel for BSNL.**

**The Court made the following :**

**ORDER:**

The petitioners are working as Telecom Technical Assistants in the respondent-organization. They appeared for a screening test held on 6.5.2000 to get eligibility for promotion as Junior Telecom Officers against 35% quota through departmental screening test. The results of the said test were declared on 7.9.2000. The grievance of the petitioners is that though they did not secure 40% of the qualifying marks, in pursuance of a letter of the Telecom Department, dated 10.3.2003 they ought to have been considered for promotion and as the respondents did not consider their cases for promotion despite a representation made by the representatives of their association, the petitioners approached this Court seeking a direction to the respondents 1 and 2 to consider the case of the petitioners for promotion as Junior Telecom Officers against 35% quota through departmental screening test by applying the relaxed qualifying standards prescribed through the letter dated

10.3.2003.

The learned counsel for the petitioners represented that no written application has been made by the petitioners to the respondents to consider their case for promotion and requested to treat the writ petition itself as their representation.

The petitioners' directly approaching this Court without making any representation to the respondents to pass appropriate orders is not appreciable. The petitioners are, therefore, directed to make a representation to the respondents 1 and 2 regarding their promotion as Junior Telecom Officers and on receipt of such representation, the respondents 1 and 2 shall pass appropriate orders as per the rules and the letter dated 10.3.2003 regarding relaxation of qualifying standards, within two months from the date of receipt of representation of the petitioners.

Accordingly, the writ petition is disposed of. No order as to costs.

3rd August, 2004

N.B.:

C.C. by one week

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To

1. The Secretary to Department of Telecommunications,
   Union of India,
   Doorsanchar Bhavan, New Delhi-110 001.
2. The Director General, Bharat Sanchar Nigam Ltd.,
   Sancha Bhawan, New Delhi.
3. The Chief General Manager,
   BSNL, Andhra Pradesh Circle,
   Abids, Hdyerabad.
4. The General Manager, Telecom District, BSNL, Khammam,
5. The GeneralManager, Telecom District,
   BSNL, Medak at Sangareddy,
6. 2 CD Copies